



*LaPorte County Auditor
Joie Winski
555 Michigan Avenue, Suite 205
LaPorte, IN 46350-3490*

**MINUTES
REGULAR MEETING OF THE LAPORTE COUNTY COUNCIL
OCTOBER 26, 2020 AT 6:30 P.M.**

(Please Turn Off All Cell Phones)

The Regular Meeting of the La Porte County Council was held on October 26, 2020 at 6:30 p.m. (local time) in the Assembly Room of the La Porte County Government Complex located at 809 State Street, La Porte, Indiana, 46350.

CALL TO ORDER

La Porte County Council President Randy Novak called the Meeting to order at 6:30 p.m.

PLEDGE OF ALLEGIANCE

President Novak asked everyone to stand for the Pledge of Allegiance. President Novak asked that everyone, except emergency personnel, to please turn off their cell phones at this time.

ROLL CALL

Auditor JoEileen Winski took the Roll Call. Council Members present were Garner, Mollenhauer, Novak, Quinn, Rosenbaum, Santana, and Yagelski. A quorum was noted.

APPROVAL OF THE OCTOBER 26, 2020 AGENDA

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer with the following correction: under Appropriations, Transfers & Requests, for the La Porte County Assessor, change the fund from the Reassessment fund (2015) to the Sales Disclosure fund (1131). Motion carried 7-0.

APPROVAL OF THE SEPTEMBER 28, 2020 REGULAR MEETING MINUTES

A motion to approve was made by Councilman Mollenhauer and seconded by Councilmen Rosenbaum with the following correction: under Liaison reports, after it states that Councilman Mollenhauer had nothing to report, the report for the following Councilman needs to be changed from Councilman Mollenhauer to Rosenbaum. Motion carried 7-0.

PUBLIC COMMENT

Hearing or seeing no one, President Novak closed Public Comment.

DEPARTMENT HEAD REPORTS

Barb Mossman, La Porte County Director of Human Resources

Ms. Mossman explained there will be an approximate increase of 7% in the health insurance renewal for 20 pay 21. The reason for the increase is that there is an increase of employees on the plan and some changing from single to family status. She said there was also over \$250,000.00 in COVID-19 claims and there was no way to have anticipated that as a factor. However, the plan is still working very well overall and the claims are approximately \$350,000.00 under what was anticipated. There has also been a little over \$709,000.00 returned back to the plan for prescription and captive reimbursement. She added that she does not have specific health insurance premiums at this time due to pending quotes.

President Novak asked if there will be quotes available prior to the November Council meeting and Ms. Mossman replied yes because open enrollment begins on November 16th. However, she doesn't know if is going to be feasible to have a special meeting prior to open enrollment for approval of the health insurance renewal by the Council. She said that figures provided by the Auditor's office show that \$7,000,000.00 was budgeted last year but for 20 pay 21, the expected claim liability is approximately \$9,400,000.00. Ms. Mossman stated that Craig Menne and Earl McLain from GIS were attending via Zoom and could answer any questions. Councilman Rosenbaum said the difference between \$7,000,000.00 and \$9,400,000.00 is not 7% so he questioned the amount of the increase. Councilman Santana said he understood the increase was going to be in the area of 13%. Ms. Mossman said the expected claim liability and stop loss increase is driving the rise. She then deferred to Mr. Menne for additional clarification.

Mr. Menne said the \$9,400,000.00 is the actuary's assessment of what the claims will be in 2021. He added that the employee's premium contributions are not factored into that number. President Novak asked when hard numbers will be available. He said there are still outstanding quotes, so there is cause for guarded optimism, but they are pushing hard to get the numbers finalized by the end of the week. President Novak asked that Ms. Mossman get the numbers to the Council as soon as they become available and she agreed. Councilman Rosenbaum added that the employee contribution portion is over \$1,200,000.00 which would bring the \$9,400,000.00 down to \$8,200,000.00 but is still a 17% increase. He said he is looking forward to the meeting with more dynamic numbers.

LIAISON REPORTS

Councilman Rosenbaum attended several in-person meetings, interesting COVID-19 meetings, and there is a lot going on with the Redevelopment Commission.

Councilman Mollenhauer did a walk-through of the Michigan City Courthouse with other Council members on September 26th. He said orders were presented to Tonn & Blank to preserve as many items as possible from the Michigan City Courthouse. On September 30th, he attended the Redevelopment meeting where a rail service update was given. On October 3rd, he toured the new Northwest hospital and is very impressed with the thought that was put into it; the service to patients will be much better. On October 4th, he attended the joint Solid Waste District Board meeting, and on October 20th, he attended the La Porte County Health Board meeting via Zoom. Updated COVID-19 information was discussed and Councilman Mollenhauer commended the work being done by the Health Department. There will soon be a new testing site at the Michigan Township Trustee's office. Tony Mancuso announced his pending retirement, so a committee was formed to begin the process of accepting applications and conducting interviews for a replacement.

Councilman Quinn had nothing to report.

Councilman Santana said he has nothing to report at tonight's meeting but will have a concise year-end report on all of his liaisons at the November Council meeting.

Councilman Garner said he spoke to Sheriff Boyd regarding the grant for the body cameras. He explained that the Sheriff's office did get cameras a few years ago, but they didn't work properly and were given back to the company.

Councilman Yagelski had nothing to report.

President Novak said two of his liaisons, Animal Shelter and Community Corrections, are on tonight's agenda.

NEW BUSINESS

1. Public Hearing on OCRA Grant Close Out of Phase 1 – Tony Rodriguez

Mr. Rodriguez explained that this a public hearing to adhere to the closeout compliance procedures of the Indiana's Office of Community and Rural Affairs. He said there is a sign-in sheet for the public. Information was given and an email was sent to those attending via Zoom regarding the economic impact and culmination of the very good work done by many individuals including Mitch Bishop and the Redevelopment Commission members. In addition, he complimented the County Commissioners and State elected officials for their support. He said he also appreciates the support of the Council. He said the there were approximately 2-3 weeks between when the funds were advanced and when they were reimbursed by the State.

Mr. Rodriguez went on to say that 27 applicant companies were funded in Phase 1; in Phase 2, there are 40 applicant companies which will impact the retention of between 430-450 low to moderate income jobs. He said his office is extremely pleased for the ability to assist these struggling companies in retaining jobs. President Novak gave kudos to Bailey McGrath, Tony Rodriguez, Matt Reardon and Representative Jim Pressel for their hard work.

Representative Pressel complimented the Office of Community & Economic Development, the Redevelopment Commission and Mitch Bishop for providing these lifeline grants to small businesses that really need all of the help they can get during the pandemic. He also acknowledged the Council for acting so quickly. He said everyone has done an outstanding job in this process.

President Novak opened Public Comment for OCRA Grant Close Out of Phase 1. Hearing or seeing no one, President Novak closed Public Comment.

2. Public Hearing on OCRA Grant Phase 2 – Tony Rodriguez

President Novak opened Public Comment on the OCRA Grant Phase 2. Hearing or seeing no one, President Novak closed Public Comment.

3. Consider Additional Appropriation in the Amount of \$250,000.00 from General Fund (1000) for OCRA Grant Phase 2 – Tony Rodriguez

Mr. Rodriguez explained that the mechanics are the County will agree to advance the funds that have since been approved and documented in the form of a grant agreement. It has been executed by the County Auditor which assures its reimbursement capability. Once approved by the local committee, the applicants are forwarded to the State of Indiana for final approval which does eliminate all risk to the County of not getting reimbursed. However, it does require the allocation of the advance funding.

Auditor Winski confirmed the reimbursement of the Phase 1 grant and said it was received within two weeks. A motion to approve was made by Councilman Quinn and seconded by Councilman Santana. Councilman Santana commended Mr. Rodriguez who he said is doing a great job assisting those businesses in the outer areas of the County. President Novak also gave kudos to Mitch Bishop. Motion carried 7-0.

4. Consider Approval of 2020 Budget for Hanna Township – Attorney Brad Adamsky

A motion to approve was made by Councilman Garner and seconded by Councilman Quinn. Councilman Rosenbaum asked if the budget is the same as the previous year and Mr. Adamsky replied yes, it is exactly the same. Motion carried 7-0.

Mr. Adamsky said he has a form he needs to have signed, so President Novak said it would be circulated and then be ready for pickup in the Auditor's office.

5. Consider Permission to Apply for a Grant to Assist with the Purchase of Body Cameras – Sheriff John Boyd

Sheriff Boyd said this is a 70%/30% grant from the Indiana Criminal Justice Institute. The total cost of 75 cameras to outfit the entire merit division and courthouse security would be \$654,540.00. Of that, the grant would pay for \$458,178.00; the remainder of \$196,362.00 would be paid by the County. For the first two of five years, the grant would pay for the cameras and beginning in the third year, the first payment by the County would be \$32,727.00; the fourth year would be 65,454.00; and the fifth year \$98,181.00 which would satisfy the total amount owed to the body camera company. After the fifth year, the County would be responsible for the iCloud video storage at an annual cost of \$100,788.00.

Sheriff Boyd explained that when an agreement was entered into several years ago, his entire department was outfitted with body cameras through a grant. However, it quickly became apparent that the cameras were not what they were told and did not fit the needs of the department. Therefore, the company took the cameras back but by that time the grant had expired. He said it has been a goal for the department to have body cameras and it falls in line with the 24th century police reforming which the department follows. The department has accomplished four of the six pillars and the body cameras are one of the final pillars.

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. Councilman Mollenhauer asked about the warranty on the cameras and Sheriff Boyd replied he didn't have the information currently available but believed it is for at least 5

years with the possibility of an extended warranty in years 5 through 7. He added that the amount is included in the figures already given to the Council. He will email the detailed information on the warranty to the Council. Councilman Santana asked when the County's finances will have to be used and Sheriff Boyd restated the costs to the County in the 3rd to 5th years and then the continuing cost of the iCloud storage.

Motion carried 7-0.

6. Appointment of Historian for the MC Courthouse Project

President Novak said he has appointed Councilman Mark Yagelski as the Historian for the Michigan City Courthouse Project. He said Councilman Yagelski has a strong interest and will continue to keep the Council updated.

OLD BUSINESS

None

CORRESPONDENCE

None

ORDINANCES AND RESOLUTIONS

None

APPROPRIATIONS, TRANSFERS, REQUESTS

La Porte County Commissioners

Requesting an Additional Appropriation

From Riverboat (1191) or General (1000)

For Ventilation Study

\$60,000.00

Attorney Shaw Friedman said a memo was sent to the Council indicating there has been a change in the process of the Cares Act reimbursement. The State has said there is now a premium on reimbursing payroll before other expenses. Therefore, it is recommended to the Council and Commission to authorize an intent to approve the appropriation for the ventilation study and, secondly, authorize the Auditor to submit the entire batch of salary to the Cares Act Committee. Then, the entire \$3,000,000.00 plus that is still owed to the County under this allocation can be controlled and disbursed by the Council, Commissioners and the Auditor. He said this is cleaner and more efficient, will provide a process by the decision making becoming local, and lastly relieve the pressure of having the claims submitted and reimbursed by December 30th. He said there will now be extended time to make individual disbursements. He added additional decisions will have to be made but said for tonight he is asking for the approval of two motions: the first is for the ventilation study and the second is authorization for the Auditor of submit the entire request for salary reimbursement.

Councilman Rosenbaum asked if the salary reimbursement has to be used on salary. Attorney Friedman replied no and added that once it is in a COVID account, it can be spent on any COVID related expenses that are approved by the Council, Commission and Auditor. Councilman Rosenbaum said getting the \$3,000,000.00 plus back makes complete sense, but how it can be spent is unclear. Attorney Friedman said he could provide the Council with a copy of the updated guidance from the State Budget Director. Included

among the things that are fully covered are expenses related to sick and family leave, unemployment insurance and facility improvements. Therefore, there would be no problems with the State coming back to audit once the expenses can be supported and are transparent.

Councilman Santana said he feels similarly to Councilman Rosenbaum, and said he is also in full support of getting the money. However, he questioned whether or not that much money was spent on Sheriff and EMS salaries. Attorney Friedman said in order for the State to distribute the money quicker, any public health and safety expenses, even if not COVID related, can be submitted. He said it seems that it is more efficient for the State to get the money to the different entities and for those local entities to then deal with it.

Councilman Rosenbaum clarified that once the reimbursement is received, it could be used for whatever necessary related to COVID and Attorney Friedman agreed. Councilman Santana asked if this second item could be voted upon since it wasn't put on the agenda. Attorney Friedman said the Auditor has been submitting reimbursements without a motion but he would like to have it on the record. Councilman Santana confirmed that with Attorney Guy DiMartino and he agreed. Councilman Santana also asked if the Commissioners were unavailable to give tonight's presentation, but Attorney Friedman said because it was a legal issue, he was asked to present the information.

Councilman Yagelski said he stated at the last two meetings that he is unhappy with some of the expenditures. He said he is in favor of the project being discussed but he keeps hearing that the Commissioners and Council will make a decision at a later date. He said that when the money comes in, it is a Council decision because monetary determinations are a governmental function of the Council. Attorney Friedman said he understood that all COVID decisions come from the COVID Committee on which both Council and Commissioners serve. Councilman Yagelski reiterated that it is a Council decision because it is the Council's function. Councilman Santana said he agrees with the Councilman Yagelski and that decisions regarding the disbursement of the money fall upon the Council. President Novak said the bottom line is that the Council determines where the money goes when it comes in and the Council has the final say on where it goes when it goes out. Attorney Friedman and Councilman Yagelski continued to speak as President Novak was trying to also speak and he had to bang his gavel several times to bring the meeting to order. He said the conversation is over and firmly stated that the Council has control of the money. He added that by passing this motion, there is no granting or creating of a joint committee of the Council, Commissioners, and the Auditor to spend the money. The Council will determine at a later date how the money is spent and what happens with it. Attorney DiMartino asked, on behalf of the Council, that Attorney Friedman get a letter from Barnes & Thornburg on the appropriate way to disburse the funds.

A motion to approve submitting the salary claims to the Cares Act Committee was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. Motion carried 7-0.

A motion to approve \$60,000.00 for the ventilation study out of the General Fund (1000) was made by Councilman Yagelski and seconded by Councilman Garner. Motion carried 7-0.

La Porte County Coroner

**Requesting an Additional Appropriation
From Riverboat (1191) or General (1000)
For Toxicology/Lab Account**

\$6,500.00

A motion to approve out of the General Fund (1000) was made by Councilman Santana and seconded by Councilman Quinn. Motion carried 7-0.

La Porte County Community Corrections
Requesting an Additional Appropriation
From Riverboat (1191) or CCD (1138)
For Transport Van

Not to Exceed
\$30,000.00

A motion to approve out of CCD (1138) was made by Councilman Santana and seconded by Councilmen Quinn and Rosenbaum. Motion carried 7-0.

La Porte County Surveyor
Requesting Permission to Spend
From Corner Perpetuation Fund (1202)
For Equipment, Supplies & Service Contracts

Not to Exceed
\$30,000.00

A motion to approve was made by Councilman Garner and seconded by Councilman Santana. Motion carried 7-0.

La Porte County Assessor
Requesting Permission to Spend
From Sales Disclosure Fund (1131)
For Laptops

Not to Exceed
\$16,600.00

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Mollenhauer. President Novak confirmed that the purchase was reviewed by IT Director Darlene Hale and Councilman Rosenbaum confirmed there are 8 laptops. Motion carried 7-0.

La Porte County Highway
Requesting Permission to Spend
From MVH Fund (1176)
For Purchase of Computer

\$1,505.99

A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Santana. Motion carried 7-0.

La Porte County Animal Shelter
Requesting Permission to Transfer
From Donation Fund (4100)
To Part-Time account (1000-10130-000-0156)

\$18,500.00

President Novak said he spoke with Director Jane Bernard who stated that this account is set up for part-time funds. A motion to approve was made by Councilman Rosenbaum and seconded by Councilman Santana. Motion carried 7-0.

La Porte County Human Resources
Requesting Permission to Transfer
From Advertising (30138) to Office Supplies (20001)

For Equipment, Supplies & Service Contracts

\$600.00

A motion to approve was made by Councilman Santana and seconded by Councilman Mollenhauer. Motion carried 7-0.

President Novak said a document was found in a bottle at the Michigan City Courthouse. It is dated January 2, 1968 and said everyone in the County and City at that time signed the document. Councilman Yagelski added that the Michigan City administrative offices were located in the Courthouse back then.

COUNTY COUNCIL/ATTORNEY COMMENTS

Councilman Yagelski said every single granite step plus the railing was saved from the Michigan City Courthouse, and added that the Commissioners are helping to also save the dome. In the future, it will be necessary to have some financial assistance to display the items in the museum.

President Novak asked that Councilman Yagelski send a picture of the dome to the Council that shows it from the inside and he agreed.

Councilman Santana said starting next year, there is going to be a new Auditor and he would like a brief report from him/her at each Council meeting on specific fund balances. In addition, he would like to see the Council appointed positions announced on the website and in the paper to see if anyone is interested. Auditor Winski said that those positions are advertised on a yearly basis.

Councilman Yagelski said there is a different form of government in Michigan City than there is in La Porte County. In Michigan City, the Comptroller reports to the Mayor and not the Council. He added that every time he has requested a report, he has received one even from previous Auditors. Councilman Santana having an Auditor's report at each meeting will add to the transparency.

President Novak reminded everyone to get out and vote!

ADJOURNMENT

A motion to adjourn the meeting was made by Councilman Mollenhauer and seconded by Councilman Rosenbaum. Motion carried 7-0.

EXAMINED & APPROVED BY THE LA PORTE COUNTY COUNCIL this 23rd of November 2020.

Terry Garner
Councilman Terry Garner

Mike Mollenhauer
Councilman Mike Mollenhauer

Randy Novak
Councilman Randy Novak

ABSENT
Councilman Sean Quinn

Mike Rosenbaum

Councilman Mike Rosenbaum

Mark S. Yagelski

Councilman Mark Yagelski

Jeff Santana

Councilman Jeff Santana

ATTEST: *Kristie Deekard*

Joie Winski, La Porte County Auditor

Chief Deputy Auditor